

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-02239-JEB**

CENTER FOR FOOD SAFETY v. UNITED STATES
DEPARTMENT OF THE INTERIOR BUREAU OF LAND
MANAGEMENT
Assigned to: Judge James E. Boasberg
Cause: 05:552 Freedom of Information Act

Date Filed: 10/30/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

CENTER FOR FOOD SAFETY

represented by **Adam F. Keats**
CENTER FOR FOOD SAFETY
303 Sacramento Street
2nd Floor
San Francisco, CA 94111
(415) 826-2770
Fax: 415-826-0507
Email: akeats@centerforfoodsafety.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Kellan Smith
PUBLIC JUSTICE, P.C.
1620 L Street, NW
Suite 630
Washington, DC 20036
(510) 622-8209
Fax: (202) 232-7203
Email: ksmith@publicjustice.net
TERMINATED: 03/22/2019
LEAD ATTORNEY
PRO HAC VICE

George A. Kimbrell
CENTER FOR FOOD SAFETY
2009 NE Alberta Street
Suite 207
Portland, OR 97211
(917) 271-7372
Fax: (917) 271-7374
Email: gkimbrell@centerforfoodsafety.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Sylvia Shih-Yau Wu
CENTER FOR FOOD SAFETY
303 Sacramento Street
2nd Floor
San Francisco, CA 94111
(415) 826-2770
Fax: (415) 826-0507
Email: swu@centerforfoodsafety.org
TERMINATED: 06/05/2018

V.

Defendant

**UNITED STATES DEPARTMENT
OF THE INTERIOR BUREAU OF**

represented by **Fred Elmore Haynes**
U.S. ATTORNEY'S OFFICE FOR THE

LAND MANAGEMENT

DISTRICT OF COLUMBIA
 555 Fourth Street, NW
 Washington, DC 20530
 (202) 252-2550
 Email: fred.haynes@usdoj.gov
 TERMINATED: 07/02/2019
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter C. Pfaffenroth
 U.S. ATTORNEY'S OFFICE for D.C.
 Civil Division
 555 Fourth Street, NW
 Washington, DC 20530
 (202) 252-2513
 Fax: (202) 252-2599
 Email: peter.pfaffenroth@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/30/2017	<u>1</u>	COMPLAINT against BUREAU OF LAND MANAGEMENT (Filing fee \$ 400 receipt number 0090-5181326) filed by CENTER FOR FOOD SAFETY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Bureau of Land Management, # <u>3</u> Summons US Attorney, # <u>4</u> Summons Attorney General)(Wu, Sylvia) (Entered: 10/30/2017)
10/30/2017	<u>2</u>	Corporate Disclosure Statement by CENTER FOR FOOD SAFETY. (Wu, Sylvia) (Entered: 10/30/2017)
10/30/2017	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Adam Keats, :Firm- Center for Food Safety, :Address- 303 Sacramento St, 2nd Floor, San Francisco, CA 94111. Phone No. - 415-826-2770. Fax No. - 415-826-0507 Filing fee \$ 100, receipt number 0090-5181382. Fee Status: Fee Paid. by CENTER FOR FOOD SAFETY (Attachments: # <u>1</u> Declaration of Adam Keats, # <u>2</u> Proposed Order)(Wu, Sylvia) (Entered: 10/30/2017)
11/01/2017		Case Assigned to Judge James E. Boasberg. (zsb) (Entered: 11/03/2017)
11/03/2017		SUMMONS Not Issued as to UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT, US Attorney, and US Attorney General.....INCORRECT SUMMONS FILED AT THE TIME COMPLAINT WAS FILED. (zsb) (Entered: 11/03/2017)
11/06/2017	<u>4</u>	NOTICE OF CORRECTED SUMMONS by CENTER FOR FOOD SAFETY (Wu, Sylvia) (Entered: 11/06/2017)
11/06/2017	<u>5</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 11/06/2017)
11/13/2017		MINUTE ORDER GRANTING <u>3</u> Motion for Admission <i>Pro Hac Vice</i> of Adam Keats. So ORDERED by Judge James E. Boasberg on 11/13/2017. (lcjeb2) (Entered: 11/13/2017)
11/28/2017	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT served on 11/14/2017, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/14/2017., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/14/2017. (Answer due for ALL FEDERAL DEFENDANTS by 12/14/2017.) (Attachments: # <u>1</u> Exhibit)(Wu, Sylvia) (Entered: 11/28/2017)

12/14/2017	<u>7</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT (Haynes, Fred) (Entered: 12/14/2017)
12/15/2017	<u>8</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT.(Haynes, Fred) (Entered: 12/15/2017)
12/15/2017		ORDER GRANTING Consent <u>7</u> Motion for Extension of Time to File Answer. The Court ORDERS that Defendant shall file its Answer or otherwise respond on or before December 15, 2017. So ORDERED by Judge James E. Boasberg on 12/15/2017. (lcjeb2) (Entered: 12/15/2017)
12/15/2017		MINUTE ORDER: The Court ORDERS that the parties shall meet, confer, and submit a proposed briefing schedule by January 3, 2018. So ORDERED by Judge James E. Boasberg on 12/15/2017. (lcjeb2) (Entered: 12/15/2017)
12/15/2017		Set/Reset Deadlines: Attorney Meet and Confer Conference and Proposed Briefing Schedule due by 1/3/2018 (lsj) (Entered: 12/15/2017)
01/03/2018	<u>9</u>	PROPOSED BRIEFING SCHEDULE by CENTER FOR FOOD SAFETY. (Keats, Adam) (Entered: 01/03/2018)
01/04/2018	<u>10</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Kellan Smith, :Firm– Center for Food Safety, :Address– 303 Sacramento Street, 2nd Floor, San Francisco, CA 94111. Phone No. – (415) 826–2770. Fax No. – (415) 826–0507 Filing fee \$ 100, receipt number 0090–5274206. Fee Status: Fee Paid. by CENTER FOR FOOD SAFETY (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Keats, Adam) (Entered: 01/04/2018)
01/05/2018		MINUTE ORDER: A status hearing in this case shall be set for January 10, 2018, at 10:00 a.m. in Courtroom 25. So ORDERED by Judge James E. Boasberg on 01/05/2018. (lcjeb2) (Entered: 01/05/2018)
01/05/2018		NOTICE OF ERROR re <u>10</u> Motion for Leave to Appear Pro Hac Vice; emailed to akeats@centerforfoodsafety.org, cc'd 4 associated attorneys -- The PDF file you docketed contained errors: 1. Invalid attorney signature, 2. In future, ECF login must match attorney signature on document. (znmw,) (Entered: 01/05/2018)
01/05/2018		Set/Reset Hearings: Status Conference set for 1/10/2018 at 10:00 AM in Courtroom 25 before Judge James E. Boasberg. (nbn) (Entered: 01/05/2018)
01/05/2018	<u>11</u>	MOTION for Leave to Appear Telephonically by CENTER FOR FOOD SAFETY (Keats, Adam) (Entered: 01/05/2018)
01/05/2018		MINUTE ORDER GRANTING <u>10</u> Motion for Admission <i>Pro Hac Vice</i> of Kellan Smith. So ORDERED by Judge James E. Boasberg on 01/05/2018. (lcjeb2) (Entered: 01/05/2018)
01/05/2018		MINUTE ORDER granting <u>11</u> Motion for Leave to Appear Telephonically. At the request of counsel, the Court ORDERS that counsel for Plaintiff may appear by telephone for the status conference set for January 10, 2018. The status conference is additionally RESET for January 10, 2018 at 11:00 a.m. So ORDERED by Judge James E. Boasberg on 01/05/2018. (lcjeb2) (Entered: 01/05/2018)
01/05/2018		Set/Reset Hearings: Status Conference set for 1/10/2018 at 11:00 AM in Courtroom 25 before Judge James E. Boasberg. (nbn) (Entered: 01/05/2018)
01/10/2018		Minute Entry for proceedings held before Judge James E. Boasberg: Status Conference held on 1/10/2018. Order forthcoming. (Court Reporter Lisa Griffith) (nbn) (Entered: 01/10/2018)
01/10/2018		MINUTE ORDER: As discussed at today's status hearing, the Court ORDERS that: 1) By January 31, 2018, Defendant shall provide Plaintiff a description of the search it has conducted; 2) By February 28, 2018, Defendant shall make a significant release of the 3,000 documents it has located; and 3) By March 2, 2018, the parties shall submit a joint status report with a proposed schedule for further proceedings in the case. So ORDERED by Judge James E. Boasberg on 01/10/2018. (lcjeb2) (Entered: 01/10/2018)

01/10/2018		Set/Reset Deadlines: Joint Status Report due by 3/2/2018. (nbn) (Entered: 01/11/2018)
01/31/2018	<u>12</u>	Consent MOTION for Extension of Time to <i>Serve Defendant's Search Declaration on Plaintiff</i> by UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT (Haynes, Fred) (Entered: 01/31/2018)
02/01/2018		MINUTE ORDER GRANTING <u>12</u> Motion for Extension of Time to Serve Search Declaration. The Court ORDERS that Defendant shall serve its search declaration on Plaintiff on or before February 5, 2018. So ORDERED by Judge James E. Boasberg on 2/1/2018. (lcjeb2) (Entered: 02/01/2018)
02/01/2018		Set/Reset Deadlines: Defendant shall serve its search declaration on Plaintiff by 2/5/2018. (lsj) (Entered: 02/01/2018)
03/02/2018	<u>13</u>	Consent MOTION for Extension of Time to File <i>the Parties' Joint Status Report and Proposed Schedule</i> by UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT (Haynes, Fred) (Entered: 03/02/2018)
03/02/2018		MINUTE ORDER GRANTING <u>13</u> Motion for Extension of Time to File. The Court ORDERS that the parties shall submit a joint status report and proposed schedule on or before March 15, 2018. So ORDERED by Judge James E. Boasberg on 3/2/2018. (lcjeb2) (Entered: 03/02/2018)
03/02/2018		Set/Reset Deadlines: Proposed Schedule and Status Report due by 3/15/2018 (lsj) (Entered: 03/02/2018)
03/15/2018	<u>14</u>	Joint STATUS REPORT AND PROPOSED SCHEDULE FOR FURTHER PROCEEDINGS by CENTER FOR FOOD SAFETY. (Wu, Sylvia) (Entered: 03/15/2018)
03/15/2018		MINUTE ORDER: Per the parties' <u>14</u> Joint Status Report and Proposed Schedule, the Court ORDERS that the parties shall file a further joint status report and proposed schedule for further proceedings and the timeline of production on or before April 15, 2018. So ORDERED by Judge James E. Boasberg on 3/15/2018. (lcjeb2) (Entered: 03/15/2018)
03/15/2018		Set/Reset Deadlines: Joint Status Report due by 4/15/2018. (nbn) (Entered: 03/16/2018)
04/16/2018	<u>15</u>	Consent MOTION for Extension of Time to <i>File Joint Status and Proposed Schedule</i> by CENTER FOR FOOD SAFETY (Smith, Kellan) (Entered: 04/16/2018)
04/17/2018		MINUTE ORDER GRANTING <u>15</u> Motion for Extension of Time to File. The Court ORDERS that the parties shall submit a further status report and timeline for production by April 20, 2018. So ORDERED by Judge James E. Boasberg on 4/17/2018. (lcjeb2) (Entered: 04/17/2018)
04/17/2018		Set/Reset Deadlines: Status Report due by 4/20/2018. (znbn) (Entered: 04/17/2018)
04/20/2018	<u>16</u>	Joint STATUS REPORT and <i>Proposed Schedule for Further Proceedings and Timeline of Production</i> by CENTER FOR FOOD SAFETY. (Smith, Kellan) (Entered: 04/20/2018)
04/20/2018		MINUTE ORDER: Per the parties' <u>16</u> Joint Status Report, the Court ORDERS that: (1) On or before April 30, 2018, Defendant will complete its search and production as to all documents subject to the Plaintiff's FOIA requests from January 1, 2017, to present; (2) On or before May 31, 2018, Defendant will complete its collection process for all documents subject to the Plaintiff's FOIA requests from January 1, 2010, to January 1, 2017; (3) On or before May 31, 2018, Defendant will make a first production of documents subject to Plaintiff's FOIA requests for documents from January 1, 2010, to January 1, 2017; (4) On or before May 31, 2018, Defendant will provide an overall completion date for the production of all documents subject to the Plaintiff's FOIA requests for documents from January 1, 2010, to January 1, 2017, and; (5) On or before June 15, 2018, the parties will file another joint status report detailing any issues that remain to be resolved in this case. So ORDERED by Judge James E. Boasberg on 4/20/2018. (lcjeb2) (Entered: 04/20/2018)
04/20/2018		Set/Reset Deadlines: Joint Status Report due by 6/15/2018. (nbn) (Entered: 04/23/2018)

06/04/2018	<u>17</u>	NOTICE of Appearance by George A. Kimbrell on behalf of CENTER FOR FOOD SAFETY (Kimbrell, George) (Entered: 06/04/2018)
06/05/2018	<u>18</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to CENTER FOR FOOD SAFETY. Attorney Sylvia Shih-Yau Wu terminated. (Wu, Sylvia) (Entered: 06/05/2018)
06/15/2018	<u>19</u>	Consent MOTION for Extension of Time to <i>File the Parties' Joint Status Report</i> by CENTER FOR FOOD SAFETY (Smith, Kellan) (Entered: 06/15/2018)
06/15/2018		MINUTE ORDER GRANTING <u>19</u> Motion for Extension of Time to File Joint Status Report. The Court ORDERS that the parties shall submit a Joint Status Report on or before July 1, 2018. So ORDERED by Judge James E. Boasberg on 6/15/2018. (lcjeb2) (Entered: 06/15/2018)
06/15/2018		Set/Reset Deadlines: Joint Status Report due by 7/1/2018 (lsj) (Entered: 06/15/2018)
06/29/2018	<u>20</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Smith, Kellan) (Entered: 06/29/2018)
07/02/2018		MINUTE ORDER: Pursuant to the parties' <u>20</u> Joint Status Report, the Court ORDERS that: (1) Defendant will review no less than 1,000 pages a month of documents from January 1, 2010, to January 1, 2017, and complete its review and production of documents from this timeframe no later than June 14, 2020; and (2) On or before September 1, 2018, the parties will file another joint status report and proposed schedule for further proceedings detailing any issues that remain to be resolved in this case. So ORDERED by Judge James E. Boasberg on 7/2/2018. (lcjeb2) (Entered: 07/02/2018)
07/02/2018		Set/Reset Deadlines: Joint Status Report due by 9/1/2018. (nbn) (Entered: 07/02/2018)
09/04/2018	<u>21</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT. (Haynes, Fred) (Entered: 09/04/2018)
09/04/2018		MINUTE ORDER: Per the parties' <u>21</u> Joint Status Report, the Court ORDERS that: 1) Defendant will continue to review no less than 1,000 pages a month of documents from January 1, 2010, to January 1, 2017, and complete its review and production of documents from this timeframe no later than June 14, 2020; and 2) On or before November 1, 2018, the parties shall file another joint status report and proposed schedule for further proceedings detailing any issues that remain to be resolved in this case. So ORDERED by Judge James E. Boasberg on 9/4/2018. (lcjeb2) (Entered: 09/04/2018)
11/01/2018	<u>22</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Smith, Kellan) (Entered: 11/01/2018)
11/02/2018		MINUTE ORDER: The Court ADOPTS the parties' <u>22</u> Joint Status Report and ORDERS that they shall file a further Joint Status Report by January 1, 2019. So ORDERED by Judge James E. Boasberg on 11/2/2018. (lcjeb2) (Entered: 11/02/2018)
11/02/2018		Set/Reset Deadlines: Joint Status Report due by 1/1/2019 (lsj) (Entered: 11/02/2018)
01/02/2019	<u>23</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Smith, Kellan) (Entered: 01/02/2019)
01/03/2019		MINUTE ORDER: The Court ADOPTS the parties' <u>23</u> Joint Status Report and ORDERS that they shall file a further Joint Status Report within seven days after the end in the lapse of appropriations. So ORDERED by Judge James E. Boasberg on 1/3/2019. (lcjeb2) (Entered: 01/03/2019)
02/01/2019	<u>24</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Smith, Kellan) (Entered: 02/01/2019)
02/04/2019		MINUTE ORDER: The Court ADOPTS the parties' <u>24</u> Joint Status Report and ORDERS that they shall file a further Joint Status Report by February 22, 2019. So ORDERED by Judge James E. Boasberg on 2/4/2019. (lcjeb2) (Entered: 02/04/2019)
02/04/2019		Set/Reset Deadlines: Joint Status Report due by 2/22/2019. (znbn) (Entered: 02/04/2019)

02/11/2019	<u>25</u>	NOTICE of Change of Address by George A. Kimbrell (Kimbrell, George) (Entered: 02/11/2019)
02/22/2019	<u>26</u>	Consent MOTION for Extension of Time to File <i>the Parties' Joint Status Report</i> by UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT (Haynes, Fred) (Entered: 02/22/2019)
02/25/2019		MINUTE ORDER GRANTING Defendant's <u>26</u> Motion for Extension of Time to File. The Court ORDERS that the parties shall file their joint status report by March 1, 2019. So ORDERED by Judge James E. Boasberg on 2/25/2019. (lcjeb2) (Entered: 02/25/2019)
02/25/2019		Set/Reset Deadlines: Joint Status Report due by 3/1/2019 (lsj) (Entered: 02/25/2019)
03/01/2019	<u>27</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Smith, Kellan) (Entered: 03/01/2019)
03/04/2019		MINUTE ORDER: The Court ADOPTS the parties' <u>27</u> Joint Status Report and ORDERS that they shall file a further Joint Status Report by April 15, 2019. So ORDERED by Judge James E. Boasberg on 3/4/2019. (lcjeb2) (Entered: 03/04/2019)
03/04/2019		Set/Reset Deadlines: Joint Status Report due by 4/15/2019. (znbn) (Entered: 03/04/2019)
03/22/2019	<u>28</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to CENTER FOR FOOD SAFETY. Attorney Kellan Smith terminated. (Smith, Kellan) (Entered: 03/22/2019)
04/15/2019	<u>29</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Keats, Adam) (Entered: 04/15/2019)
04/15/2019		MINUTE ORDER: The Court ADOPTS the parties' <u>29</u> Joint Status Report and ORDERS that they shall file a further Joint Status Report by May 15, 2019. So ORDERED by Judge James E. Boasberg on 4/15/2019. (lcjeb2) (Entered: 04/15/2019)
04/15/2019		Set/Reset Deadlines: Joint Status Report due by 5/15/2019. (znbn) (Entered: 04/16/2019)
05/15/2019	<u>30</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Kimbrell, George) (Entered: 05/15/2019)
05/16/2019		MINUTE ORDER: The Court ADOPTS the parties' <u>30</u> Joint Status Report and ORDERS that they shall file a further Joint Status Report by June 14, 2019. So ORDERED by Judge James E. Boasberg on 5/16/2019. (lcjeb2) (Entered: 05/16/2019)
05/16/2019		Set/Reset Deadlines: Joint Status Report due by 6/14/2019. (znbn) (Entered: 05/16/2019)
06/14/2019	<u>31</u>	Joint STATUS REPORT by CENTER FOR FOOD SAFETY. (Kimbrell, George) (Entered: 06/14/2019)
06/14/2019		MINUTE ORDER: The Court ADOPTS the parties' <u>31</u> Joint Status Report and ORDERS that they shall file a further Joint Status Report by July 14, 2019. So ORDERED by Judge James E. Boasberg on 6/14/2019. (lcjeb3) (Entered: 06/14/2019)
06/14/2019		Set/Reset Deadlines: Joint Status Report due by 7/14/2019. (znbn) (Entered: 06/14/2019)
07/02/2019	<u>32</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Peter C. Pfaffenroth on behalf of UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT Substituting for attorney Fred Haynes (Pfaffenroth, Peter) (Entered: 07/02/2019)